REMARKS

In the Office Action mailed May 24, 2010 from the United States Patent and Trademark Office, claim 1 was rejected under 35 U.S.C. § 112, second Para., as being indefinite, and claims 1-10 and 12-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn (USPN 7076558) in view of Serebrennikov (US PG Pubs. 20030078987). Applicant has amended claim 1 to address the indefiniteness issues and respectfully provides the following:

Rejections under 35 U.S.C. § 112, Second Para.:

In the Office Action, claim 1 was rejected as being indefinite. Applicant has amended the claim to address the indefiniteness issue and requests removal of the rejection.

Rejections under 35 U.S.C. § 103(a):

In the Office Action, claims 1-10 and 12-20 were rejected under 35 U.S.C. 103 as being unpatentable over Dunn in view of Serebrennikov. The factual enquiries and standards applicable to a Section 103 rejection have been set forth previously and are incorporated by reference herein. Applicant respectfully submits that the Office Action has failed to show how the references cited therein, either alone or in combination, teach or suggest all the limitations claimed in the claim set provided herein, and further submits that the references fail to teach or suggest all the claim limitations of the rejected claims.

The Office Action acknowledges that Dunn fails to teach using web crawler programs to locate and retrieve publicly-available information regarding said individual from a plurality of Internet-accessible sources; and wherein said commentary includes explanations of incorrect information on said server as recited in claim 1 or the corresponding limitation(s) recited in

claims 7 and 15. The Office Action errs in relying on Serebrennikov to reject such claim limitation(s) and fails to show that Serebrennikov teaches such claim limitations.

While Serebrennikov discusses the use of metadata "crawlers," the crawlers of Serebrennikov are not disclosed as performing the function recited in Applicant's claims. In Serebrennikov, the system relies on distributed "Number Files" containing metadata to provide a function whereby network and communications resources (e.g. a webpage, videoconferencing, instant messaging, SMS, and the like) can be associated with, identified, and accessed using a known telephone number. (See Para. 27-29, 35, and 60, for example.) Each customer's Number File(s) is/are stored on his or her local server that contains the identified resource(s) where the customer can readily update its Number File(s). (See Para. 49, for example.) A database and index is maintained with copies of the various Number Files and their entries (see Fig. 1B and Para. 62) so that network resource requests can be rapidly fulfilled when a telephone number is entered (see Para. 64).

With this background, the description and function of Serebrennikov's "crawlers" comes to life and can be understood. Each customer is able to modify its own local copy of its own Number File as network resources change, as recited in Para. 110-117 cited in the Office Action. (Applicant notes that nowhere in such passage is there any description of "explanations of incorrect information" as alleged in the Office Action that may be said to correspond to the limitations of claims 1 and 7, as is discussed in more detail below.) The function of the "crawler" is described in Para. 118-124: the Crawler polls each customer's web site searching for updated local Number Files (Para. 120), retrieves the local Number File and parses it to obtain its information (Para. 120), then compares its entries to those in the central database and updates the database with any changes (Para. 121).

Thus, the "crawler" of Serebrennikov does not "locate and retrieve publicly-available information <u>regarding said individual</u> from a plurality of Internet-accessible sources" as recited in claim 1 (and the other corresponding limitations of claims 7 and 15). Instead, Serebrennikov's crawler only finds and retrieves individual customers' Number Files, which do not include publicly-available information <u>regarding said individual</u> as recited in the claims. Thus, the Office Action fails to show that Serebrennikov teaches the claim limitation admittedly not taught by Dunn of "using web crawler programs to locate and retrieve publicly-available information regarding said individual from a plurality of Internet-accessible sources," and indeed, Serebrennikov fails to teach such limitation. For this reason alone, the rejections of all claims should be removed.

In addition, the Office Action fails to show that Serebrennikov teaches the limitation of claims 1 and 7 admittedly not taught by Dunn of "wherein said commentary includes explanations of incorrect information on said server." The Office Action cites to Para. 98-99 and 110-117 with Figs. 2A, 2B and 3, but such passages do not teach the claimed limitation. Certainly, Serebrennikov teaches that the user may select the Live update feature, which merely forces the system to start the crawler and locate the user's updated local Number File. (See Para. 98.) But the cited Para. 110-117 do not teach accepting commentary based on the individual's review wherein the commentary includes explanations of incorrect information on the server. The paragraphs only teach reporting incorrect information about other users (Para. 110) and correcting one's own information (but not adding commentary on incorrect information on the server) (Para. 111-117). Therefore, for at least this additional reason, the rejections of claims 1 and 7 and all claims dependent therefrom should be removed.

Turning now to Dunn, Applicant respectfully submits that the Office Action has failed to show that Dunn teaches the claim elements for which it is relied on, and indeed that Dunn fails to teach such claim limitations. For example, claim 1 requires presenting said some personal information over a wide area computer network to said individual to review and verify said some personal information's accuracy, and accepting commentary on the accuracy of said some personal information based on review from said individual, wherein said commentary includes explanations of incorrect information on said server. Each of independent claims 7 and 15 contain similar limitations. The Office Action rejects such language, relying on portions of Dunn that are related to presenting requests for access to the user's personal information. Thus, the Office Action fails to show that Dunn teaches presenting personal information regarding the individual to the individual to review and verify or accepting commentary on the accuracy of such personal information as required by the claims.

Specifically, the Office Action relies on Col. 3 lines 8-18, Col. 7 lines 21-34, Col. 12 lines 1-64, and Fig. 3 and alleges that these passages teach presenting the personal information about the individual to the individual to review and verify the information's accuracy. Applicant respectfully disagrees with this characterization. Fig. 3 merely shows a consent menu that allows a user to select what information XYZ Auto will have authority to access. Notably, no information about the user is shown as being provided for review or entering commentary on its accuracy as is required by the claims. The cited portion of Col. 3 mentions a consent management system and the consent menu shown in Figure 3. The cited portion of Col. 7 discloses that when a third party's request for information does not fall within the default allowable request, a consent user interface is displayed to obtain the user's authorization to allow access to the information.

While this passage mentions that it shows "the information requested" and it may therefore possibly be plausible to state that Dunn therefore teaches presenting some personal information over a wide area computer network to said individual, it cannot be said that such passage teaches "presenting said some personal information over a wide area computer network to said individual <u>to review and verify said some personal information's accuracy</u>" as is required by the claim. Even so, such passage should be read in light of the disclosure of Figs. 3 and 13, which Figures show that the user's information is not actually shown to the user, but merely a summary statement of what will be accessed if the consent is granted. (Fig. 3 shows "share your identity with third parties as necessary to complete the transaction…" and Fig. 13 shows the same passage as well as "permission to access your calendar" for read and write purposes, and no personal information is displayed.)

Finally, the cited portion of Col. 12 is merely a more-detailed description of an access request transaction, beginning with the repair shop system sending a request message seeking access to the user's information stating what information will be accessed and used. (Col. 12 lines 8-24.) If the request is not granted by default preferences, it is denied, and the repair shop can opt to request that the user be presented with the consent menu discussed above. (Col. 12 lines 37-43.) The user can opt to accept, partially accept, or deny the request for access. (Col. 12 lines 44-64.)

Thus, none of the cited passages stand for the propositions on which they are relied, and Dunn has not been shown to teach presenting said some personal information over a wide area computer network to said individual to review and verify said some personal information's accuracy, and accepting commentary on the accuracy of said some personal information based on review from said individual, wherein said commentary includes explanations of incorrect

information on said server as recited in the claims. For these additional reasons, the rejections of all claims should be removed.

Therefore, for at least the foregoing reasons, Applicant respectfully submits that Office Action has failed to show that the cited references teach all elements of the claim set contained herein and has further failed to show how one of skill in the art would have found it obvious to overcome the differences between the claimed invention and the cited art. Applicant therefore respectfully requests removal of all rejections under 35 U.S.C. § 103(a).

CONCLUSION

Applicant submits that the amendments made herein do not add new matter and that the

claims are now in condition for allowance. Accordingly, Applicant requests favorable

reconsideration. If the Examiner has any questions or concerns regarding this communication,

the Examiner is invited to call the undersigned.

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Respectfully submitted,

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